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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CRAIG R. SMITH,

Plaintiff(s),

vs.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant(s).

Case No. 2:17-cv-02092-JCM-NJK

ORDER

(Docket No. 1)

Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*, (Docket No. 1), and submitted a Complaint (Docket No. 1-1).

I. Application to Proceed *In Forma Pauperis*

Plaintiff has submitted the affidavit required by § 1915(a) showing an inability to prepay fees and costs or give security for them. Docket No. 1. Accordingly, the request to proceed *in forma pauperis* will be granted pursuant to § 1915(a). The Court will now review Plaintiff's Complaint.

II. Screening the Complaint

When a party seeks permission to pursue a civil case *in forma papueris*, courts will screen the complaint pursuant to federal statute. *See* 28 U.S.C. § 1915(e). Plaintiff's counsel has submitted the same form complaint that has been found insufficient on numerous occasions. *See, e.g., Chaplin v. Berryhill*, 2017 U.S. Dist. Lexis 114690, at *6 (D. Nev. July 21, 2017) (collecting cases). For the same reasons, Plaintiff's complaint here is deficient.

III. Conclusion

Based on the foregoing, IT IS ORDERED that:

1. Plaintiff's request to proceed *in forma pauperis* is **GRANTED** with the caveat that the fees shall be paid if recovery is made. At this time, Plaintiff shall not be required to pre-pay the filing fee of four hundred dollars (\$400.00).
2. Plaintiff is permitted to maintain the action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of a security therefor. The Order granting leave to proceed *in forma pauperis* shall not extend to the issuance of subpoenas at government expense.
3. The Clerk of Court shall file the Complaint.
4. The Complaint is **DISMISSED** with leave to amend. Plaintiff will have until **August 16, 2017**, to file an Amended Complaint, if Plaintiff believes he can correct the noted deficiencies.

Dated: August 2, 2017


NANCY J. KOPRE
UNITED STATES MAGISTRATE JUDGE